

AN ORDINANCE

BY COUNCILMEMBER DERRICK BOAZMAN

**AUTHORIZING THE MAYOR OR HIS DESIGNEE
TO CREATE THE ATHENS AVENUE HOUSING
ENTERPRISE ZONE; AND FOR OTHER
PURPOSES.**

Mable Thomas
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01-0-1462

WHEREAS, an amendment to the Constitution of the State of Georgia was adopted by referendum in November 1982 giving the Council of the City of Atlanta power to create urban enterprise zones in the City of Atlanta; and

WHEREAS, enabling legislation known as the Atlanta/Fulton County Urban Enterprise Zone Act was enacted by the Georgia General Assembly and signed by the Governor in March 1983 and subsequently amended; and

WHEREAS, the Atlanta/Fulton County Urban Enterprise Zone Act gives the Council of the City of Atlanta authority to designate areas within the City as urban enterprise zones for housing purposes if certain conditions are met; and

WHEREAS, designation of a housing enterprise zone exempts the taxable value of property within the zone only from ad valorem taxes for City purposes, but the Board of Commissioners of Fulton County, by appropriate resolution, may exempt from ad valorem taxation for County purposes the taxable value of the same property exempted by the City; and

WHEREAS, types of property may be exempted, conditions must be met by owners of private property to qualify for an exemption, period and rate of exemptions, and elections may be made by the Atlanta City Council among various types of exemptions which are specified by State law; and

WHEREAS, State law provides that an exemption from ad valorem taxation for City purposes also includes, but is not limited to, school and educational purposes; and

WHEREAS, the City of Atlanta Development Impact Fee Ordinance provides that, under certain conditions, the City may exempt development in urban enterprise zones from the requirement to pay development impact fees; and

WHEREAS, it is the expressed intent of the Atlanta City Council to use urban enterprise zone legislation as an incentive to generate private investment in areas of the City which otherwise might not attract such investments for housing construction and job creation purposes; and

WHEREAS, the conditions and qualifications of the Atlanta/Fulton County Urban Enterprise Zone Act, as amended, have been met relative to the creation of the Athens Avenue Housing Enterprise Zone.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: It is found by the Council of the City of Atlanta that the area in and around Athens Avenue is economically and socially depressed. It is further found that areas such as this contribute to or cause unemployment, create an inordinate demand for public services and, in general, have a deleterious effect on the public health, safety, welfare and morals. It is further found that these areas, as is the case with Athens Avenue are characterized by no investment or under-investment by private enterprise in ventures which produce jobs, trade, provision of services, and economic activities which individually and together contribute to a healthy society. This lack of private investment and activity contributes to social and economic depression in such areas. Therefore, it is in the public interest that incentives be provided to private enterprise to invest in such areas, and that such private enterprise place priority upon the employment of those residents in those economically and socially depressed areas designated herein as urban enterprise zones.

Section 2: The Athens Avenue Housing Enterprise Zone is hereby created. The effective date of all exemptions established therein shall be January 1, 2002. Athens Avenue Housing Enterprise Zone shall be abolished on December 31, 2011. The Athens Avenue Housing Phase II Enterprise Zone shall otherwise not be abolished except as provided in State law. A legal description of Athens Avenue Housing Enterprise Zone is attached hereto as Exhibit "A", and made a part hereof, and shall be on file in the Bureau of Planning and the Office of the Municipal Clerk.

Section 3: The Municipal Clerk is hereby directed to transmit a copy of this ordinance as well as the legal description of Athens Avenue Housing Enterprise Zone to the Tax Commissioner of Fulton County, to the Commissioner of the Department of Community Affairs of the State of Georgia, and to the Superintendent of the Atlanta Board of Education immediately upon approval by the Mayor of the City of Atlanta.

Section 4: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Exhibit A

Athens Avenue

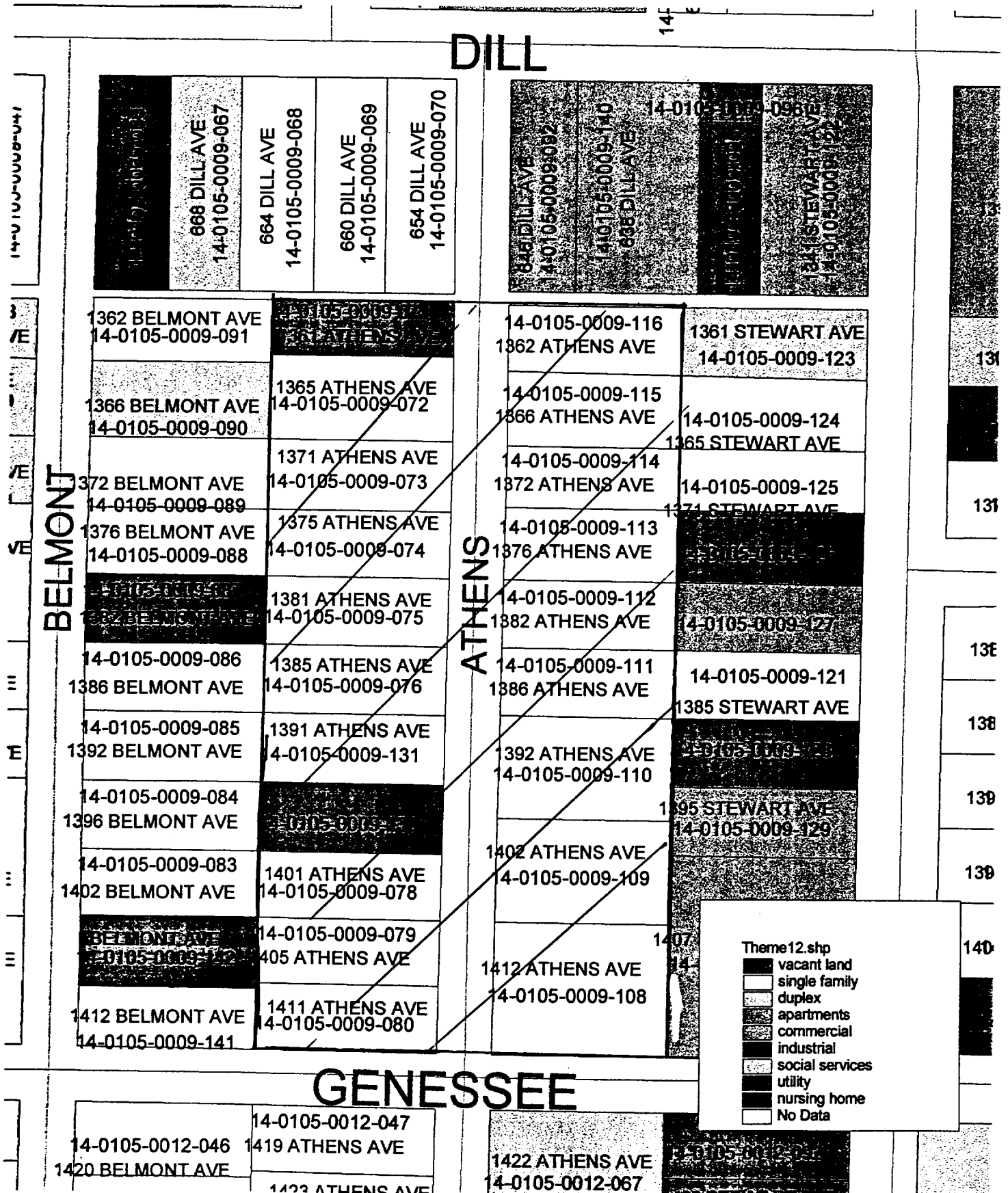
Legal Description

All those tracts or Parcels of Land lying and being in Land Lot 105 of the 14th District, Fulton County, Georgia being particularly described as follows:

Beginning at the point of intersection of the northerly right-of-way line of Genessee Avenue (40' right of-way width) and the easterly right-of-way line of Athens Avenue (40' right-of-way width); thence run along the northerly right-of-way of Genessee Avenue easterly approximately 130 feet to rear property line; thence departing the northerly right-of-way of Genessee Avenue run along the rear property line approximately 545 feet to the southerly right-of-way line of a public alley (10' wide alley, not open); thence departing the rear property line and run westerly along the southerly right-of-way line of the public alley 130 feet to the easterly right-of-way line of Athens Avenue; thence continue to run westerly (as if the southerly right-of-way line of public alley was extended) 40 feet to the westerly right-of-way line of Athens Avenue; thence continuing westerly along the southerly right-of-way line of the public alley 130 feet to the rear property line; thence departing the southerly along the rear property line 543 feet to the northerly right-of-way of Genessee Avenue; thence departing the rear property line and run easterly along the northerly right of way line of Genessee Avenue 130 feet to the westerly right-of-way line of Athens Avenue; thence continue along the northerly right-of-way line of Genessee Avenue (as it extends through the right-of-way of Athens Avenue) 40 feet to a point intersecting the eastern right-of-way or Athens Avenue, said point of intersection being the Point of Beginning.

Said tract containing 3.25 acres.

CAMP - Athens Avenue Study Area



01-0-1462

(Do Not Write Above This Line)

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- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 9/4/01
Referred To: [Signature]
Date Referred
Referred To:
Date Referred
Referred To:
Date Referred
Referred To:

Committee _____
Date _____
Chair _____
Referred to _____

First Reading

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)
Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)
Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)
Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)
Other:

Members

Refer To

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

MAYOR'S ACTION